

HAWAIIAN GAZETTE

M. RAPLEE,
DIRECTOR OF THE GOVERNMENT PRESS

HONOLULU:
WEDNESDAY, NOV. 16, 1870.

BY AUTHORITY.



MONDAY THE 28TH of November is the anniversary of the Recognition of Hawaiian Independence, by the Governments of France and Great Britain, and will be kept as a public holiday.

THE BIRTHDAY OF HIS MAJESTY, the King, occurring this year on a Sunday, notice is hereby given that Monday, the 12th day of December next, will be observed as a holiday on the occasion.

CHRISTMAS DAY occurring this year on Sunday, notice is hereby given that Monday, the 23rd day of December will be observed as a public holiday.

NEW YEAR'S DAY occurring this year on Sunday, notice is hereby given that Monday, January 2d, 1871, will be observed as a public holiday.

F. W. HICKMAN,
Master of Justice.
Justice Office, No. 224, 1870.

Notice is hereby given that Postal bridges will be closed to traffic on and after Thursday the 24th inst., for the purpose of repairs, and remain so until the work is completed.

Geo. H. LYNN,
Road Supervisor.

Road Supervisor's Office, No. 224, 1870.

LIST OF LICENSES issued to date, under the Act entitled "An Act to License the carrying of Fowling Piece and other Fire-Arms," approved the 18th day of July A. D. 1870—

Sgt. 12th, Gov. J. O. Dominis, No. 1;
17th, S. K. Rawson, No. 2;

28th, M. Raplee, No. 3;

28th, A. C. Smith, No. 4;

29th, Faasii, No. 5;

Oct. 1st, William Newbold, No. 6;

12th, Kaahumanu, No. 7;

22d, Geo. H. Lynn, No. 8;

28th, C. T. Gifford, No. 9;

31st, Tong Shing, No. 10;

Nov. 12th, W. H. Campbell, No. 11;

CAS. T. GEISLER,
Chief Clerk Int. Dept.

Justice Office, Nov. 224, 1870.

Surveying.

DURING the more recent sessions of the Legislature, several efforts were made by native members to introduce bills regulating land-surveying. These efforts failed of receiving due attention, not because such legislation was not needed, nor because this need was not appreciated, but on account of the fact that the matter required a more thorough knowledge of what was really wanted, and of what would fall within the proper sphere of legislation, than any one seemed to possess. A great many practical difficulties have been found in the matter of adjusting boundaries in this country, and so many puzzling questions arise in running out old lines, that it is a matter of congratulation that so few expensive law-suits have as yet arisen with respect to the ownership of strips of land, to say nothing of larger portions.

A brief notice of some of these difficulties may be of interest to the general reader, as well as to many who have occasion from time to time to determine a boundary line, and may also suggest means of obviating the same in future, by some systematic and well-devised plan.

One great difficulty is found to be the lack of system and uniformity in all the surveys made hitherto, whether for the Land Commission or for private individuals. One palpable example of this, though it is more a cause of annoyance than of inaccuracy, is the variety of denominations of measurements used. Distances are given, sometimes in chains and links; sometimes in chains and vulgar fractions of a chain; sometimes in feet and inches; then again in chains and parts of a chain expressed in feet and inches; and sometimes, worse than all, by all of these combined in the same survey. Areas of surface, are expressed in square fathoms; in square rods; in acres, rods, perches and tathoms; in acres and square chains; and again (as they should be) in acres and decimals of an acre. A comical instance of the practical mischief resulting from this variety of style occurred a short time since, in the appearance of a survey in which all the sides were described as being just as many links in length as they really were feet in length, thus making every distance about two-thirds of its actual measurement, and the total area as a natural consequence less than one-half of the truth. All who have occasion to draw up deeds have noticed this confusion of units of measurement.

It may be doubted whether the sixty-six foot chain, and the link of 7.92 inches, should ever have been introduced into this country. The "Gunter's Chain" is no doubt convenient on the great rectangular surveys of public lands in the United States, as being an exact fraction of a mile. The only possible argument for its use here, viz., that ten square chains equal one acre, is of little moment, as the reduction of square feet to acres and decimals of an acre is in practice one of the least laborious of necessary calculations. In actual service, a fifty-foot chain, which measures feet instead of links, is altogether the most accurate, the strongest, and the most easily handled, and the foot is the unit of measurement which should be adopted here as soon as is practicable.

But a much more serious source of trouble than the above has been the practice of sending any number of different surveyors into the same district to measure and report boundaries, without requiring of them any concert of action, or any due comparison of described lines. It is

tree, the Land Commissioners for quieting land titles performed a most herculean amount of labor. It was necessary at the time that this work was performed, to have every part done as cheaply and rapidly as possible. Without reflecting at all upon their sagacity, it does seem a little strange that no more precaution should have been taken in this regard. There was an actual instance, quite lately, of a party of valuable land near Honolulu, almost entirely unenclosed, bounded on its different sides by eight other lots, all but one, awards by the Land Commission. Upon these nine different lots were employed no less than six different surveyors, no one of whom seems to have had any reference to the notes of any of the others. There was generally in those days no chance to do so. As may well be imagined, here is a delightful maze of overlapping lines; of clustered rather than of united corners; and of strips of land left out by both parties—"gores," as they are called. Fortunately, the majority of surveyors being somewhat timid on such matters, the latter are altogether the most frequent, although, in fact, they give rise to nearly as much dispute as the over-laps, as each considers his neighbor the aggressor on what neither can establish a title to. A very frequent instance of this occurs in the case of extinct ovens (water-courses), the boundaries of lands adjacent to which were often measured on the banks instead of in the middle of the stream, with no specification as to which of the two, whether bank or middle, was intended.

Another great oversight, and one of which every one is complaining, was the general lack of any exact definition of what is called the initial point of the survey. The common formula, "Beginning at the North (or any other corner), and running," &c., is about equivalent to being anywhere in general, and running nowhere in particular. Luckily—for the credit of the surveyors—that it occasions a fearful amount of experimenting, most of the lots in this country are of so irregular shape that, on the doctrine of chance if on no other, there is generally but one way in which a given-shaped, and given-sized piece of land can be made to fit in amongst numerous neighbors without palpable trespass, and that way of course must be the right way. So therefore, a possibility of locating lines by taking time for it. It is hoped that the Government survey of the Islands will furnish a sufficient number of definitely established points to be used as points of reference. And while alluding to this Government survey, we may remark that the necessary instruments have been ordered, and active operations will be commenced during the coming year as soon as any one seems to possess. A great many practical difficulties have been found in the matter of adjusting boundaries in this country, and so many puzzling questions arise in running out old lines, that it is a matter of congratulation that so few expensive law-suits have as yet arisen with respect to the ownership of strips of land, to say nothing of larger portions.

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The decision in the Moi Wahine case

which we publish to-day, illustrates the danger of the practice of allowing unsafe vessels to leave this port, risking the lives of all on board. We see by the evidence, and by the finding of the Court, that this schooner was well known to be in bad condition, her own shipwright testifying that "she was unfit to go outside," and Capt. English testifying that if he had known before he sailed what he learned as soon as he got away, he would never have sailed in her. The result of this negligence or temerity, we do not know on whose part, was that the master and crew were lost in the first gale. The subject deserves attention.

Opinions on Hawaiian Cocoons.

We give below a statement of the opinion of several prominent Silk Houses in London, on some sample Cocoons produced by Mr. Meyer, on Molokai, which were taken by T. C. Heuck, Esq., to Europe for the purpose of testing their quality as compared with those produced in Europe. The opinion expressed "as to the quality of these Cocoons are very satisfactory, and fully assure us that a fine quality of silk can be produced in this kingdom. Experienced silk growers are fully satisfied that the mulberry tree can be grown here to a large extent in many localities. One gentleman, Mr. Junker, an experienced silk grower is now engaged in planting some twenty acres of land with the tree in a locality he has chosen on Hawaii. It is to be sincerely hoped that he will succeed, and that Hawaiian silk may one day become an article of commerce, taking rank at the same time among the first in quality produced in any part of the world:

From Messrs. G. and T. C. Heuck, London.—We return herewith samples of cocoons, which we regret to say we can not value, as England is not the market for unperfected cocoons. They are used solely in France and Italy, for masking silk; those that are used here are inferior, pierced, etc., and used for wash purposes. Your cocoons are of most beautiful quality, and we should think very valuable.

England has no arrangements for spinning silk, and uses only plucked cocoons, masking coarse silk. At Marseilles and Milan, your samples will be much appreciated.

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